



**Cleveland City Council  
Called Meeting Minutes  
Tuesday, July 5, 2022 - 6:30 P.M.  
Cleveland Community Center/Police Department  
342 Campbell Street, Cleveland, GA**

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**1. Call to Order**

Mayor Turner called the meeting to order at 6:30 p.m.

PRESENT:

Mayor Josh Turner, Council Members Nan Bowen, Rebecca Yardley, and C.J. McDonald (Mayor Pro Tem)

Council Member Jeremy McClure was not in attendance.

Also present were City Administrator Kevin Harris and City Attorney Grant Keene

**2. Invocation – Newlin Vargas of Basan Ministries**

Dean Dyer, WRWH issued the invocation.

**3. Pledge of Allegiance**

**4. Approve Agenda**

Motion by Council Member Yardley, seconded by Council Member McDonald and voted, 3 to 0 (Council Member McClure was not in attendance), to approve the agenda.

**CITY ADMINISTRATOR KEVIN HARRIS**

Mr. Harris addressed the Mayor and Council Members.

**5. November Referendum for the package sale of distilled spirits**

Mr. Harris stated that in 2021 the Georgia General Assembly passed Senate Bill 145 which regards alcohol, the local passage sales referendum. The bill allows for cities and counties to call for ballot questions on liquor package sales by Ordinance or by

Resolution. It also changed the threshold which previously required 35% of the registered voters to 20%. It also allows cities or counties to place the question on a ballot. The law requires the question to be placed on the ballot to be approved by the majority of voters in an election. He stated that prior to taking any vote, the Cleveland City Council would like to provide the public with two public hearings. He announced the upcoming public hearings as follows:

- The first public hearing will be held during the regularly scheduled Council Meeting on Monday, July 11, 2022, at 6:30 p.m.
- The second public hearing will be held during a Called Meeting on Monday, July 25, 2022.

Mr. Harris stated that, if an election takes place, the election will be held on Tuesday, November 8, 2022. The city is required to give the Secretary of State's office notice by August 10, 2022. He stated that the normal voting process would take place with Saturday voting on October 22 and October 29. Mr. Harris stated that the Mayor and Council wish to act at this time for the following reasons:

- To receive maximum voter participation in a General Election
- Substantial savings by conducting an election with the County's participation rather than calling a special election
- Communities around Cleveland have already taken advantage of the opportunity and are seeing the realization of the revenue streams

#### **6. Daybreak Property Update**

Mr. Harris stated that the city has received earnest money in the amount of \$8,500 which has been placed in a trust account. He said since the last meeting on June 13, 2022, Mayor Turner and Jerry Nicholson have both signed the amended agreement. He continued to state that the buyer has 60 days to close on the property which is being sold as-is.

#### **7. Approve property deed for old Blue Creek Water Tank**

Mr. Harris stated that at the June 13, 2022 Council Meeting, Economic Development and City Planning Director Tom O'Bryant, presented a report that was brought to his attention regarding Darren Cain's survey of Pinky Black's property which impacts adjoining property that is owned by the city. The old blue creek water tank is located on the subject property. He said the City Attorney, Grant Keene, has worked with Mr. Black's attorney to resolve the differences.

Council Member McDonald disclosed, for transparency purposes, that Mr. Black is his great uncle.

Motion by Council Member Bowen, seconded by Council Member Yardley and voted, 3 to 0 (Council Member McClure was not in attendance), to accept the property deed for the old blue creek water tank property as drafted by Mr. Keene.

### **CITY ATTORNEY GRANT KEENE**

Mr. Keene did not have any items to report.

### **NEW BUSINESS**

#### **8. Approve June 13, 2022 Meeting Minutes**

Motion by Council Member Yardley, seconded by Council Member McDonald and voted, 3 to 0 (Council Member McClure was not in attendance), to approve the June 13, 2022 Meeting Minutes.

#### **9. Approve June 13, 2022 Executive Sessions Minutes**

Motion by Council Member McDonald, seconded by Council Member Bowen and voted, 3 to 0 (Council Member McClure was not in attendance), to approve the June 13, 2022 Executive Session Minutes.

#### **10. Approve June 13, 2022 Called Meeting Minutes**

Motion by Council Member Bowen, seconded by Council Member Yardley and voted, 3 to 0 (Council Member McClure was not in attendance), to approve the June 13, 2022 Called Meeting Minutes.

### **UNFINISHED BUSINESS**

There was no unfinished business to discuss.

### **PUBLIC COMMENTS**

Neil McLean, 1633 Daybreak Road, addressed the Mayor and Council Members and inquired about access to the Daybreak Road property. Mr. Keene responded that they were provided with blanket access for roads built as well as roads to be built. Mr. McLean was interested in information regarding road upkeep.

Archey Hatfield, 122 Daybreak Road, addressed the Mayor and Council Members regarding the Daybreak Road property sale.

Margret McLean stated that she wished to submit a letter concerning the access to Daybreak Road.

### **EXECUTIVE SESSION**

Motion by Council Member McDonald, seconded by Council Member Yardley and voted, 3 to 0 (Council Member McClure was not in attendance), to enter an Executive Session at 6:48 p.m.

**11. Discussion regarding real estate and personnel matters**

Motion by Council Member McDonald, seconded by Council Member Yardley and voted, 3 to 0 (Council Member McClure was not in attendance), to return to the City Council Meeting at 9:24 p.m.

Council Member McDonald opened the door to allow citizens to return to the regular meeting. There were no citizens waiting to return to the meeting.

The Mayor and Council Members executed the old Blue Creek Water Tank documents.

**ADJOURN**

Motion by Council Member Bowen, seconded by Council Member Yardley and voted, 3 to 0 (Council Member McClure was not in attendance), to adjourn the City Council Called Meeting of July 5, 2022 at 9:28 p.m.

 Josh Turner	Mayor	 Jeremy McClure	Council Member Ward 3
 Nan Bowen	Council Member Ward 1	 C.J. McDonald	Council Member Ward 4 Mayor Pro Tem
 Rebecca Yardley	Council Member Ward 2	ATTEST:  Lisa A. Ritchie	City Clerk